

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Fredrick DeWayne Hines,

Petitioner,

v.

Tom Roy,

Respondent.

Civil No. 18-cv-2552 (PJS/HB)

**ORDER ON REPORT
AND RECOMMENDATION**

The above-entitled matter came before the Court upon the Report and Recommendation of the United States Magistrate Judge. No objections have been filed to the Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, and all the files, records and proceedings herein,

IT IS HEREBY ORDERED that:

1. The Report and Recommendation is **ADOPTED**;
2. The petition for a writ of habeas corpus of Petitioner Fredrick Dewayne Hines [Doc. No. 1] is **DENIED WITHOUT PREJUDICE**;
3. Hines's application to proceed in forma pauperis [Doc. No. 4] is **DENIED**; and
4. No certificate of appealability will be issued.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: 10/22/18

s/Patrick J. Schiltz

PATRICK J. SCHILTZ

United States District Judge